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SUBJECT: U/S BURNS' OCTOBER 25 MEETING WITH COLOMBIAN
MINISTER OF INTERIOR AND JUSTICE HOLGUIN

Classified By: Ambassador William B. Wood - Reasons 1.5 (b,d)

11. (U) October 25, 2006; 1100AM.

12. (U) Participants in Holguin Meeting

U.S.

Under Secretary Burns
Assistant Secretary for WHA Thomas P. Shannon
Ambassador William B. Wood
Deputy Assistant Attorney General Mary Lee Warren
NSC - Dan Tomlinson
Attorney Advisor Patricia Pugh, L
Political Counselor John Creamer
P Special Assistant Heide Bronke
Political Officer David M. Zimov (notetaker)

COLOMBIA

Interior and Justice Minister Carlos Holguin Sardi
Foreign Minister Maria Consuelo Araujo
Ambassador Carolina Barco
DCM Jaime Ruiz
Deputy Foreign Minister Camilo Reyes
U.S. and Canada Desk Chief Patricia Cortes

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Summary
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13. (C) Interior and Justice Minister Holguin told U/S Burns the Justice and Peace law and demobilization process were difficult to understand, even for Colombians. He committed Colombia to effective implementation of the law and to ensuring that the justice component of the law was fully implemented. Colombia, he said, was a pioneer in trying to bring to justice an armed group that had not been defeated on the battlefield. U/S Burns recognized the historic nature of the Justice and Peace process, and told Holguin that the USG supported the process. The U/S explained that timely, transparent effective J&P implementation would be critical in maintaining Congressional support for our Colombia policy. The U.S. delegation offered continued help to strengthen Colombia's judicial and prosecutorial units in the J&P process.

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Holguin: Justice and Peace Process
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14. (C) Interior and Justice Minister Holguin thanked U/S Burns for his delegation's visit and briefed them on three important issues: the paramilitary demobilization process, the Justice and Peace (J&P) law, and human rights--specifically the protection of at-risk human rights

and other activists. Holguin gave a detailed powerpoint presentation on demobilization and the J&P law, noting that 42,000 terrorists have demobilized (including 31,600 demobilized paramilitaries and 10,000 FARC and ELN deserters.) The minister described the demographics of demobilized individuals: overwhelmingly male, young, and poorly educated. He then described the system and state resources in place to reintegrate minors in the demobilization process, which includes monthly subsidies, psycho-social treatment, and training and job placement.

15. (C) Holguin said that of 41,000 demobilized individuals, 5,234 had committed "grave crimes" and would be subject to the specific measures of the J&P law. The demobilization and reinsertion processes were so complex, he added, that they had required unique legislation which had then been reviewed and revised by the Colombian Constitutional Court. In addition, President Alvaro Uribe created a special commission led by High Commissioner for Reintegration Frank Pearl to manage the reintegration of demobilized AUC members. (See septel for details on Burns-Pearl meeting.)

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J&P Decree and Implementation

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16. (C) Holguin emphasized that the J&P implementing decree issued by the Uribe Administration's decree met international standards, and closely tracked the Constitutional Court on "controversial" issues, such as the need for complete confessions, and reparation to victims. Foreign Minister Araujo added that the GoC had called together the diplomatic corps to brief them on the implementing decree. She said UN High Commissioner for Human Rights Representative in Colombia Juan Pablo Corlazzoli

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had studied the decree and determined that it was consistent with the Constitutional Court's ruling on the J&P law. This, she said, added "credibility" to the process.

17. (C) Holguin told Burns that the J&P process was "difficult to understand, even for Colombians." But he said the J&P process represented the first time in history that a country was able to bring an armed group to justice without defeating it. The historic norm, he said, was either total amnesty or war crimes charges for the vanquished. Colombia, he concluded, was conducting a grand experiment that could serve as an example to others. The GoC was committed to achieving both justice and peace.

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Protection to Human Rights Officials

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18. (C) Holguin told the delegation that his ministry had provided protection to more than 5,000 individuals under threat, including 1,200 union members and more than 1,300 local government officials, journalists, and human rights defenders. He added that, despite continuing problems, the threat against these at-risk groups had been reduced, as had the number of attacks against these individuals.

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U.S. Support Requires Justice

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19. (C) Under Secretary Burns thanked Holguin for the meeting and for his presentation. He said the USG recognized both the historic nature of the J&P law and its complexity. He said the USG supports the J&P law, but stressed the need for effective, transparent implementation. U/S Burns mentioned a Human Rights Watch complaint that ex-paramilitary leaders were living in comfort and receiving lenient treatment given their terrible crimes. Burns told Holguin that recent war crimes tribunals to judge cases in

Rwanda, Bosnia, and Kosovo made it easy for critics to say Colombia was not making a full effort towards justice. The key to continued U.S. support, Burns said, would be Colombia's effective implementation of the J&P process, including ensuring that justice was done.

¶10. (C) Deputy Assistant Attorney General Mary Lee Warren reiterated that implementation would be crucial. She offered continued U.S. assistance to Colombian magistrates and prosecutors working on J&P implementation. Warren said the GoC would need to continuously ask itself what more could be done to achieve justice. She concluded that many individuals in the J&P process had been, or would eventually be, charged with crimes in the United States.
DRUCKER

=====CABLE ENDS=====